/ Finance

App F IX 4

193 5
(Municipal

File No 47-34
Serial Nos 72-78

Previous References
15-32-(49, 54)

Later References
1 27-53-127, 128

GENERAL AND REVENUE SECRETARIAT

Serial Nos 2

Part B for July 1935

SUBJECT

Amendment of the octroi bylaws no7 of the Mysore City Mul Cl so as to exclude Kerosene oil therefrom.

Sl
-78

To the President, Mysore City Mul Cl
Comptroller.
No L 291-2 Dt 10/13 7 1935

R D 01965—GP[illegible]

Approved the above.

25/7/35

5587
2

General and Revenue Secretariat Ml File No 47 of 1934-35 [App F III 2

From

72 The President, Mysore City Ml Cl
no G 7 2375 Dt 18/9 6 35

Requests sanction to the resolution of the Ml Cl to amend octroi bylaw no 7 so as to exclude "Kerosine oil" the from, ~~from the~~ necessity of taking out export passes as other goods.

S Kind reference is invited to the note prepared on the subject by the then President Mr B T Kesavaiengar, clearly explaining the administrative & financial aspects of the case. The Managing Committee have thereupon resolved that the subject be considered after Septr 1935, as it is too early to reopen the question.

2 But at the request of the dealers in Kerosene oil, the decision on the question has been revised and the octroi bylaw no 7 is proposed to be amended so as to exclude "Kerosene oil" from the category of articles for which export passes will ~~have to be taken out~~ not -

NOTE—Contn Sheet

5589/2

File No 47 of 1934-35

General and Revenue Secretariat

DEWAN'S OFFICE
6 JULY 1935
No. 110

The resolution does not seem to be in the interests of the mcty so far as its finances are concerned. It is therefore for orders if the Ml Cl may be asked to reconsider their decision with reference to its financial resources & submit their opinion in Dec 1935 or if it may be sanctioned

20/6/35

4 Please note what the rule on the subject is in the Blore cy Mcy

1/7

5 Please see rule 7 on page 34 of the Bangalore cy Mcy Rules & Bylaws put up herewith. There is no proviso in that bylaw, as the one sanctioned for the Mysore cty Ml Cl in respect of the same bylaw no 7 × Flag T

2/7/35 2/7

6 Mr Kesavaiengar's note flagged S explains the position clearly. It is for orders whether, in the circumstances, the resolution of the Muni Council to exclude "Kerosene oil" from the proviso to Bylaw 7 as amended in the G.O. 3834 may be approved

Flag T

Chief Secy) 5/7

[illegible]

1039 of

CHIEF SECRETARY
5 JULY 1935

4/7/35

7 The proposal may be sanctioned

Dewan) 6/7

? Md 6-7-35

8 Draft please 8/7

31/2

General and Revenue
Secretariat | File No 47 of 1936 - 31 | App F I

Serial No

60 Subd. with a draft G O for ap.

for
8/7/35 M/8/7

Issue
9/7

[illegible] SECTION
9. JUL 1935
GENL & REV SECTT

78 20

The President, City Mcl [illegible]
u Comptroller
No L 29/-2 dated 13/7/3
sanctions the amendment prop
by the M.C.

D
15/7/35

File No	of 193	General and Revenue Secretariat

Mr GR
G 375
84

ML 47-34-72

Office of the Prewident,
City Municipal Council, Mysore
Dated 18th June 1935

19

5589/2

From

M A Sreenivasan, Esq ,B A ,
President, City Municipal Council,
Mysore

CHIEF SECRETA
21 JUNE 1935

To

The Chief Secretary to the Government
of His Highness the Maharaja of Mysore,
Bangalore

Sir,

Referring to Government Order No L 879-80/M1 59-33-54 dated 3rd August 1934 sanctioning the amendment to Octroi Bye-law No 7, I have the honour to state that it was represented by the Sub-Agents and dealers in Kerosine oil that the withdrawal of the issue of export passes in respect of out-going Kerosine oil would hit their muffusil trade hard and that with a view to remedy this, the issue of export passes on Kerosine oil might be revived or the duty thereon reduced

The representation was placed before the Managing Committee at their meeting held on 22-1-1935 with a note on the subject(copy enclosed) It was resolved at the meeting that it was too early to reopen the question and that the subject might be considered after the lapse of one year (i e , after September 1935)

Thereupon the Sub-Agents of Kerosine oil made an appeal on the resolution of the Managing Committee that the subject might be considered by the full Council

The Managing Committee's Resolution together with the -- application of the Sub-Agents was placed before the Council at their meeting held on 30-3-1935 and an amendment was proposed to the sanctioned Octroi bye-law No 7 to omit words "and Kerosine oil" and to insert and" between "Jaggery and oil seeds" occuring in the bye-law This amendment was unanimously carried

In pursuance of the Council's Resolution, the amendment proposed was published in the Mysore Gazette dated 11-4-1935 and

objections were invited within one month from the date of the publication

As no objections were received, the amendment was finally approved by the Council at their meeting held on 25-5-1935

Copies of the Council's Resolutions of 30-3-1935 and -- 25-5-1935 together with a copy of the notice and draft amendment of bye-law published in the Gazette are herewith sent for -- reference

In the circumstances, I request the favour of sanction of Government to the amendment of Octroi bye-law 7 proposed by the Council

I have the honour to be,

Sir,

Your most obedient servant,

President

PVR

5/18

Proceedings of the 19th (Ordinary) Meeting of the Mysore City Municipal Council held in the Council Chamber on Saturday the 30th March 1935 at 4 P M

Present

N Krishna Iyengar, Esq , B L President

1 Mohamed Sait, Esq Vice President
2 P Sitharamiah, Esq , B A ,L T ,
3 C Narasimhiah, Esq , B A ,B L
4 S Krishnaswami Rao, Esq B A LL B
5 A Venkatesiah, Esq , B A ,LL B
6 K N Venkatakrishniah, Esq B A ,
7 V Lingappiah, Esq., B A ,LL B
8 M C Thammiah, Esq.,
9 D L Viswambhariah, Esq ,
10 U L Ramachandra Rao, Esq ,
11 H.C Dasappa, Esq., B A ,LL B ,
12 W.H Theobald, Esq ,
13 T Mariyappa, Esq B A ,LL B ,
14. M Shankariah, Esq , B A ,LL B ,
15 K Dhanakoti Chetty, Esq
16 A J Ram, Esq ,
17 Y Virupakshiah, Esq ,
18 V T Arumuga Mudaliar Esq
19 Rev G W Sawday
20 G Ahmad Khan, Esq
21 Mohamed Valiullah Esq B. A ,LL B.,
22 M K Madhava Rao [illegible], Esq
23 B L Maridandiah,Esq ,
24 A Krishna Rao, Esq , B A ,B L ,

Absent

1 M K Krishna Rao, Esq ,
2 Rao Sahib M Ramaswamy Esq ,
3 Mahamed Ghouse Peer, Esq ,
4 Hussain Ali, Esq ,
5 (Vacant)

x x x

419 (i) Petition dated 31-8-1934 from Messrs V D Rajaram and S Vittal Rao and Son and other dealers in Kerosine oil in Mysore City, requesting that export passes be issued on outgoing Kerosine oil as before, or the duty on kerosine oil be reduced, with President's note dated 1-12-1934 thereon

(ii) Managing Committee's Resolution No 223 dated 22-1-1935 that it is too early to reopen the question and that the subject may be considered after September 1935

(iii) Further application dated 14-3-1935 from Messrs V D Rajaram and Co , and others requesting that their request may be considered by the full Council

(iv) Letter dated 16-3-1935 from Mr V Lingappiah, Municipal Councillor, intimating that he would move a proposition that export passes be granted on out-going kerosine oil as usual and that the full levy of Octroi on such consignment be stopped forthwith

Resolution - "Resolved that the New Octroi Bye-law No 7 be revised so as to provide for free exports of Kerosine oil tin by Mr H C Dasappa and seconded by Mr M K Madhava Rao Powar

Mr T Mariappa's amendment to the existing Octroi Bye-law No 7 Omit words "and Kerosine oil" and insert "and " between "Jaggery and oil seeds" Unanimously carried

Sd/-N Krishnaiengar,
President

"Copy"

President

5/9

Proceedings of the 23rd (Ordinary) meeting of the Mysore City Municipal Council ~~xx~~ held in the Council Chamber on Saturday the 25th May 1935 at 3 30 P M

Present

M A Sreenivasan, Esq , B A ,President

1 C Narasimhiah, Esq B A ,B L ,
2 S Krishnaswami Rao, Esq ,B A ,LL B ,
3 A Venkatesiah, Esq B A ,LL B ,
4 K N Venkatakrishniah,Esq , B A ,
5 A Krishna Rao, Esq , B A ,B L ,
6 V Lingappiah, Esq , B A ,LL B ,
7 M C Thammiah, Esq
8 D B Viswambhariah, Esq ,
9 H C Dasappa, Esq , B A ,LL B
10 T Mariyappa Esq , B A ,LL B ,
11 M Shankariah, Esq ,B A ,LL B ,
12 Mahamed Ghouse Peer, Esq ,
13 K L anakoti Chetty, Esq ,
14 Hussain Ali Esq ,
15 V T Arumuga Mudaliar, Esq ,
16 Rev G W Sawday
17 G Ahmad Khan, Esq
18 Mahomed Valiulla, Esq , B A ,LL B ,
19 B L Maridandiah Esq ,

Absent

1 Mohamed Sa , Esq Vice-President
2 M K Krishna Rao Esq ,
3 Rao Sahib M Ramaswamy, Esq ,
4 P Sitharamiah, Esq , B A ,B L
5 U I Ramachandra Rao, Esq ,
6 W H Theobald,Esq ,
7 A Ram, Esq ,
8 Y Virupakshiah, Esq ,
9 M K Madhava Rao Powar, Esq ,
10 (Vacant)

x x x

481 Sanctioning amendment to Octroi bye-law No 7 - No objections or suggestions having been received from the public

Resolution - Approved

x x x

Sd/-M A Sreenivasan,
President

"Copy"

President

Note

Reference:- Petitnn dated 31st August 1934 from Messrs V D Rajaram & Co , S Vittal Rao and Son, K G Sundaraj, Kerosine oil Agents and other dealers in kerosine oil in Mysore City requesting that export passes be issued on out-going kerosine oil, as before, or the duty on the oil be reduced

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It has been represented by the whole-sale dealers of kerosine oil in the City and a few exporting agencies that great hardship is created consequent on the passing of the amendment to octroi bye-law No 7 from 1st September 1934, which withholds the issue of exporting passes on kerosine oil, affecting thereby their moffusil trade It is alleged by the petitioners that the notice they have had of the passing of the amendment was so short that they were prevented from placing themselves in communication with the out-stations under their charge Secondly, it is stated that the outside customers who were importing kerosine oil free of duty from the City, formerly, are required under the changed law to pay duty once at Mysore and again at the destination, so much so, that they naturally prefer to buy the oil outside Mysore to save the payment of duty twice and in this way, the agents here, are deprived of their moffusil trade As a remedial measure, it is urged that the previous practice of issuing export passes on kerosine oil be revived, or the duty thereon reduced

Before examining the merits of the representation, the circumstance which necessitated the modification of the bye-law and the course of action adopted in passing the amendment into law may be recapitulated

In my note dated 3rd January 1934, the discrepancy between the Octroi bye-laws No 7 and 24, so far it related to refunds on sugar, jaggery, oilseeds and kerosine oil, was pointed out and with a view to remove this inconsistency, it was recommended that action be taken to suitably amend the bye-law No 7 by adding a proviso at the end, so as to make it conformable to bye-law No 24 The note with the proposal to amend the bye-law was placed before the Managing Committee at their meeting held on 23rd February 1934 and was approved The Managing Committee's Resolution, approving of the amendment, was considered by the Council and approved in their resolution on No 414 dated 28-3-1934 After publication of the draft amended bye-law in the Mysore Gazette

dated 26th April 1934 inviting objections or suggestions from the public to the proposal, within one month, the modified bye-law was confirmed by theCouncil, on objections or suggestions having been received-- and was submitted to Government for sanction

Thus, it is clear from the above facts, the main consideration that prompted the modification of the bye-law was the inconsistency noticed in the existing octroi bye-laws No 7 and 24 and that before passing the amendment into law, full opportunity was afforded to the public to represent their objections if any, to the proposal

On the merits of the case, the grievences alleged in the petition may be examined As regards the first allegation about the shortness of notice, there is no substance in the statement, for, there was an interval of more than 3 months between the publication of the draft bye-law and the passing thereof by Government

As regards the other grievence about the loss of moffusil trade, it may be remarked that the Municipality is not in any way concerned with the loss of outside trade of merchants so long as the revenue of the Municipality is not affected thereby, and the grievence therefore cannot be entertained on that score The Municipality are only concerned with the local trade of the merchants and would gladly afford every facility and convenience for its encouragement

Apart from this, there are other considerations which do not warrant any change in the action taken The removal of the inconsistency between the octroi bye-laws No 7 and 24 referred to supra is a matter of the first importance ~~wit~~ which does not warrant any change in the action taken Secondly, it may be noted that the withholding of the export passes is not only in respect of kerosine oil but in respect of sugar, jaggery, and oil-seeds also, and therefore it is not only the kerosine oil dealers that are affected by the amendment of the bye-law but other merchants as well dealing in ~~any of these trades~~ in sugar, jaggery and oil-seeds But, so far, no merchant dealing in any of these trades has made any representation about the handicap to his trade If any relaxation is made with respect to kerosine oil, as prayed for, an agitation is bound to

crop up for a similar relaxation from the traders of sugar, jaggery and oil-seeds in respect of their trades The final result would be the reverting to the former position, with detrimental financial results

From the point of view of Municipal revenue also, the introduction of the amendment bids fair to be advantageous It is gratifying to note that the passing of the amendment has acted as an incentive in getting into the City imports of keresine oil by road on lorries from Mangalore and other western ports direct, besides the usual consignment by railway A comparision of the octroi realisations from kerosine oil imports for 3 months from 1st September 1934 the date of bringing the amendment into force, with those of the corresponding period of last year shows an increase in the revenue by about Rs 450/- in the former period, which indicates the flourishing of the kerosine oil business despite the disadvantages pleaded

In these circumstances, I am of opinion that any change in the action already taken is unwarranted and uncalled for

As regards the request to reduce the duty, it may be said that the time is not opportune to consider the request, especially when the Municipal finances are at a low ebb and pressure exists to augment the revenue in every possible manner

The matter in all its aspects is placed before the Managing Committee for their consideration and disposal in the first instanc

Dated 1st December 1934

Sd/-B T Kesava Iyengar,
President

"Copy"

President

MYSORE CITY MUNICIPALITY

Notice dated 2nd April 1935

It is hereby notified that the Mysore City Municipal Council propose to amend in the manner indicated below Octroi bye law No 7 sanctioned in Government Order No L 879 80—MI 59 33 54

Any person having any objection or suggestion to the above proposal may prefer the same to the undersigned within one month from the date of the publication of this notice in the *Mysore Gazette*

Amendment proposed

Omit words *and kerosene oil* and insert *and* between jaggery and oil seeds

Octroi Bye law 7 to be amended will be as follows —

As existing

7 When goods accompanied by a pass as aforesaid are brought to the Octroi Koti they may be unloaded and weighed or counted by the officer in charge of the Octroi Koti Upon ascertainment of the amount of the octroi payable on the goods the importer shall either pay the amount due and receive a permit for the removal of the goods or shall deposit the same in the Bonded Warehouse When the duty is paid as above permit shall be granted by the officer in charge of the Octroi Koti for the removal of the goods showing the quantity or weight of the goods the amount paid in respect thereof and the date of payment The fact of the receipt shall also be noted on each copy of the duplicate pass one copy of which shall be filed in the office and one copy returned to the Octroi post from which it was received In case the importer wishes to re export the goods at once he shall do so only after obtaining a free export pass and subjecting the goods to the escort of an octroi subordinate provided that no free export pass will be granted in the case of sugar jaggery oil seeds and kerosene oil

As proposed to be amended

7 When goods accompanied by a pass as aforesaid are brought to the Octroi Koti they may be unloaded and weighed or counted by the officer in charge of the Octroi Koti Upon ascertainment of the amount of the octroi payable on the goods the importer shall either pay the amount due and receive a permit for the removal of the goods or shall deposit the same in the Bonded Warehouse When the duty is paid as above a permit shall be granted by the officer in charge of the Octroi Koti for the removal of the goods showing the quantity or weight of the goods the amount paid in respect thereof and the date of payment The fact of the receipt shall also be noted on each copy of the duplicate pass one copy of which shall be filed in the office and one copy returned to the Octroi post from which it was received In case the importer wishes to re export the goods at once he shall do so only after obtaining a free export pass and subjecting the goods to the escort of an octroi subordinate provided that no free export pass will be granted in the case of sugar, jaggery and oil seeds

M A **Sreenivasan**
President

G R S App I VI—G 2]

SUBJECT

Diary No of letter replied to

Section Judl

File No 47-34

Serial No 78

General and Revenue Secretariat

( )

the 193

Proceedings of the Government of
His Highness the Maharaja of Mysore

Date of issue 13-7-1935

Signed by

May this be—

(i) printed?

(ii) treated as a standing order?

(iii) published in the Gazette, English Part?

(iv) translated?

(v) placed at the disposal of the press?

(vi) published in the Gazette, Kannada Part?

Read— 1) G O no 2871-80/MC 59-33-34 dated the 3rd August 1934 sanctioning the amendment to section bye law no 7 of the Mysore city MC BL to the effect that no free export passes [illegible] granted in the case of sugar, jaggery, oil-seeds and Kerosine oil

2) Letter no G 7 2373 34-35 dated the 18/19th June 19 from the President, city Municipal Council, Mysore submitting

Sanction the resolution
of Municipal Council to
exclude "Kerosine oil" from
the proviso to the bylaw no 7
as amended in the G.O. read above

order no.--L291-2

The amendment proposed by the [illegible]
is Sanctioned

[illegible] For Chief Secy to Govt
9/7

To the President, Municipal Council
" Comptroller

List of Enclosure

Copied by

Examined by

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

Read –

Government Order No L 879-80/Ml 59-33-34 dated the 3rd August 1934 sanctioning the amendment to Octroi Bylaw No 7 of the Mysore City Municipal Council to the effect that no free export passes would be granted in the case of sugar jaggory oil seeds and kerosine oil

2 Letter No G T 2375 of 1934-35 dated the 18th/19th June 1935 from the President City Municipal Council Mysore submitting for sanction the resolution of the Municipal Council to exclude "kerosine oil" from the proviso to the bylaw No 7 as amended in the Government order read above

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Order No L 291-2 / Ml 47-34-78

Dated, Bangalore the 10th / 13 July 1935

The amendment proposed by the Municipal Council is sanctioned

For Chief Secretary to Government

To

The President Mysore City Municipal Council
The Comptroller to Government

C R G 3